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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Kenneth D. Tew et al.** *RECEIVED*  
Application No. 10/088,467 AUG 15 2002  
Attorney Docket No. 0149-FCCC 99-08US TECH CENTER 1600/290  
Filed: March 19, 2002  
For: NUCLEIC ACID ENCODING HUMAN ABCA  
TRANSPORTER 2 (ABCA2) AND METHODS OF  
USE THEREOF  
Examiner: Not Yet Assigned  
Group Art Unit: Not Yet Assigned

**CERTIFICATE OF MAILING UNDER 37 C.F.R § 1.8(a)**

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to ASSISTANT COMMISSIONER FOR PATENTS, Washington, D.C. 20231.

7/17/02  
Date of Certificate

Kathleen D. Rigaut, Ph.D., J.D.

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449 and a copy of the references listed thereon. This Information Disclosure Statement is being filed more than three months after the filing date of the application. However, Applicants have not yet received an action on the merits of the application. Accordingly, Applicants believe that no fee is required pursuant to 37 C.F.R. §1.97 (b) (3). In the event a fee is required, the Commissioner is authorized to charge the required fees to deposit account no. 04-1406. A duplicate copy of this sheet is included for fee processing, if necessary.

Applicants respectfully request full and proper consideration of the listed

information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

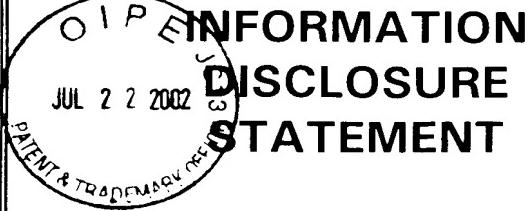
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Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449



*Complete if known* RECEIVED

Application Number: 10/088,467

AUG 15 2002

Filing Date: March 19, 2002

First Named Inventor: Kenneth D. Tewell TECH CENTER 1600/290

Group Art Unit:

Examiner Name:

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SHEET 1 OF 1

Attorney Docket Number: 0149-FCCC 99-08US

### UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

### FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT

### OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	BROCCARDO, C. et al. "The ABCA subclass of mammalian transporters"; Biochimica et Biophysica Acta 1461: 395-404 (1999)
	C2	NCBI Database, Access No. U18235 (1995)
	C3	LUCIANI, M.F. et al. "Cloning of Two Novel ABC Transporters Mapping on Human Chromosome 9"; Genomics 21: 150-159 (1994)
	C4	LAING, N.M. et al. "Amplification of the ATP-Binding Cassette 2 Transporter Gene Is Functionally Linked with Enhanced Efflux of Estramustine in Ovarian Carcinoma Cells"; Cancer Research 58: 1332-1337 (1998)
	C5	VULEVIC, B. et al. "Cloning and Characterization of Human Adenosine 5'-triphosphate-binding Cassette, Sub-family A, Transporter 2 (ABCA2)"; Cancer Research 61: 3339-3347 (2001)
	C6	NCBI Database, Access No. AF178941 (2001)
	C7	KAMINSKI, W.E. et al. "Complete Coding Sequence, Promoter Region, and Genomic Structure of the Human ABCA2 Gene and Evidence for Sterol-Dependent Regulation in Macrophages"; Biochemical and Biophysical Research Communications 281: 249-259 (2001)
	C8	NCBI Database, Access No. AF327657 (2001)

EXAMINER'S SIGNATURE		DATE CONSIDERED	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.